

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

CHARLES MURRAY STRICKLAND and §  
CHARLES MURRAY STRICKLAND for  
FRANKIE JUANITA STRICKLAND,  
deceased

VS. § CIVIL ACTION NO. 2:07cv161

STATE OF TEXAS §

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge Charles Everingham. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition of this case. No objections were filed.

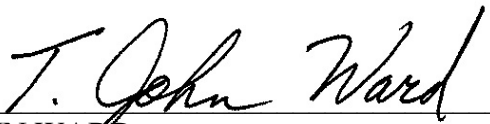
This Court finds that the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. The Court therefore

**ORDERS, ADJUDGES, and DECREES** that this action is **DISMISSED WITH PREJUDICE**;

**ORDERS** that a certificate of appealability is **DENIED**; and

**ORDERS** that all motions not previously ruled on are denied.

SIGNED this 24th day of September, 2008.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE